



ADMINISTRATIVE DIRECTIVE
Process for Disposing of
Surplus Real Property

8.70.043-AD

I. Scope and Application

This administrative directive establishes the process which the District will follow in developing recommendations and making decisions to dispose of surplus real property.

This Administrative Directive replaces 8.70.043-AD relating to the disposition of surplus lands listed in the Long Range Facilities Plan, 2002. That Plan contained what became known as the "60 Acre Goal" referring to school and vacant property sites that were assessed in the Plan as surplus and therefore candidates for sale. Actions by the School Board since 2002 have substantially achieved that goal by disposing of many of the properties listed, and the administrative directive guiding those property sales is no longer operative.

This replacement directive guides the analysis, process and decision-making that occurs when real property is identified that no longer meets the needs and mission of the District. It acknowledges that property sales in the future will be the result of unique circumstances and will occur infrequently.

II. General Provision

The Superintendent of Portland Public Schools is responsible for making recommendations to the Portland Public School Board that certain properties should be declared surplus and sold or otherwise conveyed.

III. Public Process

(A) **Public notification.** The process for declaring property surplus begins with public notification that the District is considering a declaration of surplus. The process includes at a minimum the following steps:

- (1) Notification to the School Board
- (2) Notification to the City of Portland and Multnomah County, and any other public agencies that may have an interest in the property as appropriate.
- (3) Notification to the appropriate local neighborhood association.



ADMINISTRATIVE DIRECTIVE
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8.70.043-AD

(4) Notification to the public at large.

Such notices shall allow a minimum of 60 days before finalizing a recommendation to the School Board.

- (B) **Public comment:** The opportunity for public agency response and public comment will be in addition to the Board's public hearing on a surplus property proposal.

IV. Governmental Agency Option to Purchase

- (A) Local governments have 60 days from the date of the notification to formally declare the intent to purchase potential surplus property. The Superintendent may extend this period as appropriate.
- (B) If a local government entity has declare the intent to purchase the property, the Board may, in its Surplus Declaration, direct that the property be offered to the governmental entity at a fair market price based on appraised value, or other value if justified by circumstances.

V. Superintendent's Recommendation

The Superintendent's recommendation to declare property surplus must contain the following assessment:

- (A) Assessing current short term and long term PPS enrollment projections
- (B) Identifying PPS program considerations, and whether the property is unnecessary for school purposes
- (C) Identifying any community uses of the property
- (D) Providing property information, including such factors as size, location, improvements, value, and other relevant information appropriate to the recommendation
- (E) Description of the public input process, and the issues raised during that process



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8.70.043-AD

VI. School Board's Surplus Declaration

If the School Board accepts the recommendation of the Superintendent, the Board will adopt a surplus property resolution that includes these declarations:

- (A) That the property is no longer required for school purposes.
- (B) Restrictions or conditions on the uses which will or will not be allowed upon ultimate disposition of the property to a third party, if any.
- (C) That the property shall be offered to third parties for sale or other conveyance.

VII. Surplus Property Sale Process

If real property is declared surplus by the School Board, the Superintendent shall establish and conduct a process for sale of the property.

The sale process may include one of the following methods:

- (A) A Request for Qualifications (RFQ) to select a qualified purchaser with whom to negotiate a sale agreement.
- (B) A Request for Proposal (RFP) to select a proposal for the most advantageous sale terms, or to specify future use or conditions attached to the property.
- (C) A directed sale to a specific purchaser.
- (D) Any other action necessary to accomplish a timely sale benefiting the District.

If the property is suited for a particular user or use, and authorized to be conveyed to a specific purchaser, the authorization from the Board must contain a description of the community or other benefit for such action.

All purchase and sale agreements shall be submitted to the Board for final Board approval.

Policy Implemented:

History: Adpt: 10/28/02; Amd. 12/09